

195th Meeting Contractors' Registration Board

August 10, 2005

(A) The meeting was called to order by the Chairman, Felix Carlone, at 12:30 PM.

(B) Approval of the agenda and order of business was accepted on a motion by Mr. Caldwell and seconded by Mr. Gianlorenzo.

(C) The minutes of the 194th meeting were approved on a motion by Ms. Turkel and seconded by Mr. Gianlorenzo.

(D) Court Case Update:

July 2005 FINES RESTITUTION DATE CLAIMANT

Moss 750 - 01/05

Parrillo 250 - 01/05

Kithes 8,000 01/05 Evans

Fundakowski 500 - 01/05

Carter 250 - 01/05

K. Garies 300 - 01/05

Ford 150 01/05 Braman

Pratas 1,116.40 01/05 DeBlasio

Brouillard 500 - 01/05

Kithes 8,274.54 01/05 Evans

Bolcon 3,250 01/05 Correia

Cheney 9,027 02/05 Williams

Prata 250 - 02/05

Weaver 500 - 02/05

Laporte 7,500 02/05 Bassett
Webster 150 - 02/05
Corriveau 250 5,350 02/05 Mandeville
Merhi 250 5,500 02/05 Bruzzi
Belisle 500 800 02/05 Ingraham
Jodoin 500 11,800 02/05 Tanzi
Escribano 250 - 02/05
K. Garies 500 - 02/05
C. Johnson 950 - 03/05
Carreiro 250 1,500 03/05 Hall
Fundakowski 250 - 03/05
Tierney 313 03/05 Castelano
Ribeiro 1,100 03/05 Myers
Corriveau 250 - 04/05
Aceto 1,000 04/05
Theroux 1,000 04/05
Felder 750 04/05
Puopolo 250 1,300 04/05 Moscatelli
Puopolo 225 04/05 St. Laurent
Puopolo 525 04/05 Walukiewicz
Ribeiro 1,100 04/05 Myers
Valenti 2,500 8,000 05/05 Brown
W. Smith 250 14,650 05/05 Cotton
Ribiero 250 05/05
Tierney 250 05/05
Dias 2,500 06/05 Krupa

Giorgio 2,525 06/05 Benton

Giorgio 1,336.45 06/05 Perez

Giorgio 1,000 06/05

Lopez 500 06/05

Sgueglia 250 2,090 06/05 Beaudry

Sgueglia 500 5,400 06/05 Clukey

Harvey 475 06/05 Cohen

Woolhouse 500 06/05

Carreiro 250 06/05

Brooks 500 06/05 Canning

Cotoia 250 887.04 06/05 Ott

Houle 250 625 07/05 Bradley

Kirwin 1,000 27,530.87 07/05 Jalbert

Kirwin 500 07/05

Bonner 3,500 2,000 07/05 DeTora

K.

Smith 500 1,714 07/05 Ladouceur Wood 1,000 6,300 07/05 R.Johnson

Comella 500 07/05

Rocchio 250 07/05

Boillard 3,500 1,650 07/05 Pendergrass

Boillard 1,000 07/05

Huling 1,500 2,800 07/05 Catlow

Puopolo 250 850 07/05 Chevalier

Puopolo 725 07/05

Rainville 500 07/05

Dias 500 _____ 07/05

TOTAL: 30,650 150,389.30

TOTAL FINES & RESTITUTION: \$180,789.30

Last updated: July 29, 2005

(E) Consideration of Cases on Appeal and Oral Argument:

(1) 12:40 PM, claim #4915, Zawuslak vs. Maccrone, exceptions filed by the claimant. Both parties were present; the claimant was heard first and testimony was provided that grout cracked and a problem with underlayment. After examining the evidence and listening to both parties, because the sub-flooring was installed by another contractor, discussion among the Board was that this matter should be heard together. A motion was made by Mr. Carlone and seconded by Mr. Ladouceur for the claimant to file another claim against the contractor who installed the sub-floor, at no cost, and that this case be remanded in conjunction with the new claim; the vote was unanimous;

(2) 01:00 PM, claim #4923, Petrin vs. Tomaselli, exceptions filed by the claimant. The matter, at the request of the respondent's attorney, was tabled until next month;

(3) 01:20 PM, claim #4888 Bongiovanni vs. Lisi, exceptions filed by the respondent. A resolution was reached prior to the appeal and the matter was disposed;

(4) 01:30 PM, claim #4961, Tursini-Robinson vs. Alegria, exceptions filed by the respondent. Both parties were in attendance and the respondent was represented by counsel, Charles Knowles, who presented several reasons the Board should remand the matter back for an Administrative hearing. The 1st being that his client did not attend the hearing due to the fact that he was in the hospital with an injury that morning; 2nd the contract ACI is not a contract with his client Richard Alegria of Alegria Construction Inc. (ACI) but his son Richard Alegria of American Crane Inc. also ACI; and lastly the purchase and sales agreement was not Richard Alegria but Karen Alegria his daughter. After presenting his exceptions, several questions as to the contract was entertained by the parties and from the Board members. The claimants stated they dealt with Richard Alegria Sr. and paid him to build their home. Due to all the questions and information provided on this appeal, the Board on a motion by Mr. Carlone and seconded by Mr. Ladouceur elected to remand this matter back for a new hearing in conjunction with (2) new claims which need to be filed at no cost by the claimants and a violation to Karen Alegria for performing work as a contractor pursuant the purchase and sales agreement terms. After more discussion the unanimously remanded this claim, as well as the (2) new ones to be heard at the same time;

(5) 01:40 PM, claim #4760, Goodwin vs. DeBenedetto, review of case and clarification requested. Both parties were in attendance and the respondent was represented by counsel. Concerns were expressed as to the final order issued by the board regarding code violations

and conformance to the order. An inspection was conducted by Michael Lanni in lieu of Ed Ladouceur reviewing the work as the order stated. The discussion revolved around the windows, which were to be installed. The monies were exchanged as ordered. Ms. Goodwin testified that the windows were on her property and did not fit. In discussing this matter further, the respondents attorney was trying to make arrangements to pick up the windows and return them for a credit so Ms. Goodwin could be paid and get other windows. After much discussion, Ms. Goodwin did not want anyone on her property and stated that some windows were installed upstairs. At this point a motion was made by Mr. Ladouceur and seconded by Mr. Carlone to dismiss this case; motion carried unanimously.

(6) 01:50 PM. claim #4932, Cheng vs. Martin, exceptions filed by the respondent, who failed to appear. Exceptions were reviewed and the Board unanimously upheld the decision of the hearing officer on a motion by Mr. Carlone and seconded by Ms. Turkel.

(7) 02:00 PM, claim #4937, Domenech vs. Cannone, exceptions filed by the respondent, who failed to appear. Upon review a motion was made by Mr. Carlone and seconded by Mr. Ladouceur to uphold the decision rendered by the hearing officer and passed unanimously.

(F) Report of the Executive Director:

(1) Statistics Report: (2) Reports 7/13/05 No Meeting

Registrations:

Number of Registered Contractors	12324
Number of Cards Surrendered	3125
Number of Cards Lapsed	10530
Number of Cards Invalidated	389
Number of Cards Suspended	268
Number of Cards Revoked	34

Registration Actions 6/7/05 - 7/13/05

Number of New Registered Contractors	196
Number of Renewed Contractors	12128
Number of Cards Surrendered	1
Registrations Invalidated	0
Registrations Suspended	0
Registrations Revoked	0

Claims:

Administrative Appeals

4

Board Appeals 7

Awaiting Further Action

57

Court

144

Disposed

4300

Under Investigation

194

Disposed Prior to 4/95

286

TOTAL CLAIMS FILED WITH THE BOARD

5184

Number of New Claims

74

(6/7/05 – 7/13/05)

Violations: (6/7/05 – 7/13/05)

Advertising 3

Non-Registered Subcontractors

3

Cancelled Insurance

294

Non-Registered Contractors

308

TOTAL RECORDS

620

Number of New Violations

34

(6/7/05 – 7/13/05)

Lapsed Registrations/Never Re-Newed:

July 2004 104

August 2004 73

September 2004 33

October 2004 28

November 2004 14

December 2004 10

January 2005 7

February 2005 18

March 2005 4

April 2005 6

May 2005 13

June 2005 17

July 2005 21

Tickets: #'s Fines

2005

January 0 \$.0

February 0 \$.0

March 0 \$.0

April	0	\$0
May	5	\$1,250
June	1	\$250
July	0	\$0

Commercial Roofers: 7/13/05

Number registered	99
Number expired/lapsed	16
Number surrendered	8
Number invalidated	0
Number suspended	0
Number revoked	0
Pending Approval	0

Registration Actions 6/7/05 - 7/13/05

Number of New Registered Contractors	2
Number of Renewed Contractors	97
Number of Cards Surrendered	0
Registrations Invalidated	0
Registrations Suspended	0
Registrations Revoked	0

As of 8/10/2005

Registrations:

Number of Registered Contractors	12431
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Number of Cards Surrendered	3125
Number of Cards Lapsed	10530
Number of Cards Invalidated	389
Number of Cards Suspended	267
Number of Cards Revoked	34

Registration Actions	7/13/05 - 8/10/05	
Number of New Registered Contractors		119
Number of Renewed Contractors	12312	
Number of Cards Surrendered	4	
Registrations Invalidated	0	
Registrations Suspended	0	
Registrations Revoked	0	

Claims:

Administrative Appeals

4

Board Appeals	4
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Awaiting Further Action

57

Court

145

Disposed

4331

Under Investigation

194

Disposed Prior to 4/95

286

TOTAL CLAIMS FILED WITH THE BOARD

5218

Number of New Claims

69

(7/13/05 – 8/10/05)

Violations: (7/13/05 - 8/10/05)

Advertising 2

Non-Registered Subcontractors

3

Cancelled Insurance

295

Non-Registered Contractors

318

TOTAL RECORDS

630

Number of New Violations

29

(7/13/05 - 8/10/05)

Lapsed Registrations/Never Re-Newed:

July 2004 103

August 2004 73

September 2004 33

October 2004 28

November 2004 14

December 2004 10

January 2005 7

February 2005 17

March 2005 4

April 2005 6

May 2005 12

June 2005 17

July 2005 20

August 2005 22

Tickets: #'s Fines

2005

January 0 \$.0

February 0 \$.0

March 0 \$.0

April 0 \$.0

May 5 \$1,250

June 1 \$250

July 0 \$0

August 0 \$0

Commercial Roofers: (7/13/05 - 8/10/05)

Number registered 100

Number expired/lapsed 15

Number surrendered 8

Number invalidated 0

Number suspended 0

Number revoked 0

Pending Approval 0

Registration Actions (7/13/05 - 8/10/05)

Number of New Registered Contractors 0

Number of Renewed Contractors 100

Number of Cards Surrendered 0

Registrations Invalidated 0

Registrations Suspended 0

(G) Old Business:

(1) Committee Reports: No meetings since May;

(2) Report on Legislation: None of the bills submitted by the Board ever got passed. Some fifteen (15) bills affecting the Board were submitted this session, none were acted on. Only a resolution to establish a study commission;

(3) Publicity: Recently several news stations had segments whereby

the Board was involved with consumer complaints on contractors registered with the Board. One case involving a house that settled, was resolved with a \$35,000 engineering repair.

(H) New Business:

(1) Barbara Calcagni recently recovering from back surgery, suffered a heart attack, the Board expressed concerns and thoughts and prayer intentions for a speedy recovery ;

(2) Legislation: Committee needs to get together to review rules and regulations for public hearing;

(3) Action Plan: The outside vendor portion included in legislation never passed. Plan will need revisions to facilitate implementation of unfunded mandates;

(4) Audit Report: Draft was submitted and responded to. Report will be issued in early September for review;

(5) Appointments: Letter sent to the Director of Administration by the Board's Executive Director regarding re-appointments of Board members and to appoint (2) vacant positions yet to be filled by the Governor;

(6) Discussion: Joe Marran explained concerns regarding information required on non-registered contractors and criminal prosecutions, such as date of birth, drivers license numbers, etc., given to assure proper notice is given to the proper person. Will continue to screen cases and those who we are not able to ascertain this information on may be dismissed;

(7) Retention Schedule: Sent to the Secretary of State for review and forwarding to Attorney General for final approval;

(8) NASCLA:. Going forward with national examination process.
Meeting in Arizona and Utah in August and September;

(9) Staff: Joe Lewis, one of the Board's investigator's will be taking on a new position in the State Building Commissions Office. He has served the Board for several years and will be missed.

New position will need to be posted as soon as possible to prevent a backlog. The Board congratulated Joe and wished him well;

(10) Permits: Concern was expressed that some municipal agencies take copies of the contractors drivers license and keep as part of their record, otherwise unable to obtain a permit. Because of all the identity complaints concerns were expressed if this is legal. Once procured, it becomes a public record and can be obtained under the freedom of information act. Joe Marran to look into this matter further.

(I) Public Comment: None

(J) Announcements: The next meeting is scheduled for Wednesday September 14, 2005 at 12:30 PM, Conference Room "C", 2nd Floor, One Capitol Hill.

(K) Adjournment: A motion was made by Mr. Gianlorenzo and seconded by Mr. Cardoza to adjourn at 3:45 PM.

Members Present: F. Carlone, E. Ladouceur, D. Caldwell, R.

Cardoza,

**S. Gianlorenzo, A. Salisbury, M. Turkel, P. Brunette and
D. Gagnon**

Members Absent: B. Calcagne and L. Reynolds

**Others Present: George Whalen (Executive Director), Legal
Counsel,**

Parties for Appeal and Stenographer.

Respectfully Submitted,

**George W. Whalen, Executive Director
Contractors' Registration Board**

GWW/man